

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-CV-81371-ROSENBERG

JAMES E. GOETZ, et al,

Plaintiffs,

v.

U.S. FOOD AND DRUG ADMINISTRATION,

Defendant.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

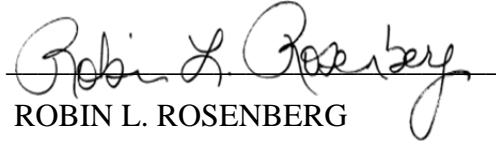
This matter is before the Court upon the Defendant's Motion for Partial Summary Judgment, DE 56, which was previously referred to the Magistrate Judge for a Report and Recommendation. On December 18, 2023, the Magistrate Judge issued a Report and Recommendation recommending that the Motion be granted. DE 63. The parties filed notices of no objections at docket entries 64 and 65. The Court has reviewed the Report and Recommendation and the record and is otherwise fully advised in the premises.

Upon review, the Court agrees with the analysis in the Magistrate Judge's Report and Recommendation and concludes that the Defendant's Motion should be granted for the reasons set forth therein.

For the foregoing reasons, it is **ORDERED AND ADJUDGED** as follows:

1. The Magistrate Judge's Report and Recommendation, DE 63, is hereby **ADOPTED**;
2. The Defendant's Motion for Partial Summary Judgment, DE 63, is **GRANTED WITHOUT PREJUDICE**;
3. The Plaintiffs' Motion for Partial Summary Judgment, DE 36, is **DENIED AS MOOT**;
4. The Defendant's Motion to Stay Proceedings Pending Completion of its Production Obligations, DE 35, is **DENIED AS MOOT**.

DONE and ORDERED in Chambers, West Palm Beach, Florida, this 3rd day of January, 2024.


ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE

Copies furnished to Counsel of Record